

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

17 CR 350 (KBF)

- v. -

:

AVTANDIL KHURTSIDZE,

:

Defendant.

:

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**SENTENCING MEMORANDUM ON BEHALF OF
DEFENDANT AVTANDIL KHURTSIDZE**

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Introduction

On behalf of our client, Avtandil Khurtsidze, we submit this memorandum to assist the Court in arriving at a just sentence in his case – “sufficient, but not greater than necessary,” in accordance with the sentencing considerations set forth in 18 U.S.C. § 3553(a). Mr. Khurtsidze grew up in the Republic of Georgia under the Soviet rule. His young life was split between school, helping his father and siblings farm their land so they could eek out a living, and training in the state-controlled gymnasium as a wrestler and boxer from the age of five. Avtandil became a teenager shortly after the fall of the Soviet Union and grew to adulthood amidst the growing pains of the newly independent Republic of Georgia. Avtandil trained at the gym when he was not helping his family farm and cut timber. As a young adult, his work ethic and natural talent as a boxer was instrumental in launching Avtandil through the lowly Georgian boxing circuit, to years as a professional boxer in Ukraine, all the way to international title bouts in England, a world away from the family farm in Kutaisi, Georgia.

The next chapter of his life is yet to be written. However, the struggle, work-ethic and painstaking dedication to his craft that lifted him from Soviet poverty to the eve of a title-fight in London represent the massive bulk of this man’s life and the true nature of his character. The convictions in this case certainly warrant punishment. We respectfully ask the Court, in crafting an appropriate sentence, to consider not only Avtandil Khurtsidze’s compelling life story, but also the fact that he will be deported back to the family, community and country that molded him into the dedicated champion who supported his family and his community.

After arriving in New York in 2014, the boxer who spoke no English was welcomed as a star into the small Georgian community of Brooklyn that is a subset of the larger Russian enclave of Brighton Beach. Unfortunately, there was another popular individual in that same community, someone who also spoke Georgian and had boxed in the same gymnasium as Avtandil when he they were both teenagers. Upon his arrival, this Georgian acquaintance, Razhden Shulaya, invited Avtandil out to welcome him to New York. Shulaya, who surrounded himself with Georgian and Russian fighters, was happy to befriend a world-class boxer like Avtandil. Avtandil, new to America and unable to speak English, was happy to be welcomed into this outpost Georgian community.

It is important to lay bare the purpose of this sentencing memorandum. Your Honor has

presided over the cases of each of the defendants in this indictment. More importantly, Your Honor conducted the trial of Avtandil Khurtsidze and Razhden Shulaya, and is well-aware of the evidence, both the defense and government interpretations of that evidence, and obviously the jury verdict. The Court is in a unique position to determine the extent of Mr. Khurtsidze's culpability during time relevant to the indictment and subsequent convictions. However, Mr. Khurtsidze's time in New York represents but a fraction of his life. And the acts for which he was convicted represent only a fraction of his life in New York. Relevant, certainly. But this man is a complex figure with a compelling and intriguing life story that spans an almost incomprehensible childhood within the Soviet regime to the pinnacle of his boxing profession. We do not intend to relitigate the trial, but rather to highlight the bulk of Mr. Khurtsidze's life, and the incredible dedication and work ethic that took him from a Kutaisi farm to a London title fight. In addition, we submit along with this report, dozens of letters of support from his family, his community and his fellow fighters that attest to the person that Avtandil Khurtsidze was, and the person he can become again. *See* Attached Exhibit A.

The certain deportation that will follow his prison term will place Avtandil back within the family and community that formed his best self. He undoubtedly deserves blame for his role in the crimes for which he was convicted, but upon his release, he will be a world away from the poker houses and Pelican Pete's that saw him descend into his worst self. When Avtandil returns to Georgia, he still will have so much to offer his family, his community and his people. Over the course of his life, we submit that the good far outweighs the bad. Avtandil Khurtsidze, has the drive and ability to redeem himself and contribute to Georgian society. This submission respectfully asks that the Court give him that chance.

After careful consideration, we respectfully request a below guidelines sentence.

Background

Avtandil Khurtsidze was born on May 2, 1980, in Kutaisi, Georgia, Soviet Union. He was born the youngest of four children to Makvala and Omar Khurtsidze.⁽¹⁾ See PSR ¶ 93. Avtandil lived his earliest years in Soviet government housing, until his family received notice that the government would be razing their building. In exchange, the Khurtsidze family was

¹ Mr. Khurtsidze's father is 79 and his mother is 76. They have, for years, relied heavily on Avtandil's financial support.

provided a small plot of farmland five minutes from the Kutaisi town center. Avtandil's parents, brother Tariel and niece still live there to this day.

Avtandil's father acquired a small stable of livestock and with the help of family (relatives and friends in their community), built their new home by hand. Avtandil remembers lying in his bed and watching the snow fall outside through the gaps between the boards in the walls of his new home. See PSR ¶ 94. The uninsulated shack was heated by a single wood-burning stove. See Attached Exhibit B, photo 8. The family had no car. As Avtandil recalls, "Our car was a horse." PSR ¶ 94. Although their impoverished, agrarian lives were difficult, the Khurtsidze family was close-knit and happy. And very proud. From a young age, Avtandil's father instilled a strong work ethic and sense of self-pride. He taught his son to be happy with the few clothes he did have. Never envy other people, but be happy for them. When they would visit another family for dinner, Avtandil would eat little so that no one would know how hungry he actually was.⁽²⁾ But above all, he was never to talk to others about how poor he was.

Along with the hard labor that was required of him from such a young age⁽³⁾, Avtandil found another place to hone his physical skills – his brother's gym. Sending a child to a gym to train in combat sports was and is common in the Caucasus. Avtandil began training in wrestling, his father's sport. He remembers going with his brothers to watch his father wrestle at non-sanctioned underground bouts. But while Avtandil was able to compete at wrestling, his strong upper body and powerful, quick hands made him a natural fit for the boxing ring.

At the age of six, Avtandil became the junior boxing champion of Kutaisi, defeating older competitors on his way to the tournament crown. He boxed for the next five years, winning almost every match and tournament. Avtandil attributes his early success to his regimented lifestyle. He woke and trained early every morning prior to his morning chores. After his chores, he attended school. After school, he would return home to work on his family's farm.

Avtandil attended school until the 6th grade. He admits that he was not the best student, as his mind often wandered to the gym or his animals on the family farm. Although education is

² During one of our visits with Avtandil, he asked the question, "What do you think hunger is?" He continued, "Most people think that hunger is simply when you go get something to eat. No, hunger is when you wake up hungry but there is nothing in the house to eat. Hunger is when you work all day with nothing to eat. Hunger is going to bed hungry at the end of the day."

³ Avtandil spoke with pride about his upbringing, bragging that he knows how to change a horse's shoes and make his own cheese.

important, it is not difficult to see how Avtandil's young life (and his nation's lack of opportunity) steered him toward more physical pursuits like boxing. However, a massive geopolitical event would put Avtandil's young boxing career on hold.

In 1991, an independent Republic of Georgia emerged from the fall of the Soviet Union. From a western perspective, the fall of Communist Russia is remembered as almost entirely positive. However, for Avtandil, his family and the people of Georgia, the first decade of independence was immensely difficult. After Soviet control vanished, the Georgian people were left to pick up the pieces and rebuild their nation almost from scratch. Regimented communism gave way to erratic governance, corruption and the growing pains of early capitalism. Avtandil's family would go without electricity for weeks at a time. The family had to travel to parts of town where the water was working and fill buckets. The police were either not present or were the cause of crime. The price of common goods were prohibitively expensive.

Without school or boxing, and a society in flux, Avtandil's early teen years were spent doing what most teenagers do – hanging out with friends. Even during his brief quintessential teenage years, Avtandil never used drugs. At most, he smoked cigarettes and had the occasional glass of wine. He worked with his father hauling trees from the forest and tended to the family farm, but in his down time, one of his favorite things to do was pool money with his friends and rent a videotape player to watch VHS tapes at a friend's house. One day, a friend brought a bootleg tape of a boxer that Avtandil had heard of, but never seen in action. That night would become a seminal moment in Avtandil's life. That night, he watched Mike Tyson fight.

Avtandil had all but given up boxing. But when he saw Tyson, he was enamored. Avtandil had always been trained to be a standard boxer, and it always felt unnatural. Here though, was the best boxer in the world, fighting in a style that matched none of the things that Avtandil had been taught. Avtandil wanted to box again, and he wanted to box like Tyson.

Avtandil told his father that he wanted to train as a boxer again, but his father said he was too old (he was sixteen), that his time had passed. Avtandil would not be deterred and he went to a small boxing gym in Kutaisi near he and his father's firewood delivery route. After one day, the trainer agreed to waive the monthly fee because he saw how much potential the teenager had. Within one week, Avtandil had quit smoking entirely and become the champion of the gym. Within six months, he was the champion of all of Georgia.

His national title garnered him the attention of other gyms and trainers in Kutaisi. A larger, more prestigious gym convinced Avtandil to join. The coach and trainer at the gym convinced him that kickboxing provided a more direct path to stardom. Although Avtandil always kickboxed like a boxer, he was a force in his “new” sport, becoming a five-time amateur Georgian champion, and the amateur European/Eurasian champion. Despite his success, he did not like kickboxing. The style never felt right for him. “I am not a horse to kick,” he explained recently. In truth, he knew what he wanted to be. He wanted to be the next Mike Tyson.⁽⁴⁾

When he was 21, Avtandil came back to boxing. His abilities were somewhat tempered by the fact that he had been training and competing in a different sport for the past few years. He trained and boxed for the next two years, quickly settling into his new Tyson style and winning amateur tournaments throughout the Caucasus. In 2001, Avtandil fought in the World Championships in Greece, winning the first of many world titles. When he was at the height of amateur boxing, an American promoter saw a video of one of Avtandil’s fights and signed him to a contract. In 2003, Avtandil Khurtsidze moved to America as a professional boxer.

Avtandil’s fledgling professional career was a far cry from the glitz and glamour of the world’s premier fighters. He lived with two other boxers on the second floor of his manager’s home in New Jersey. Shortly after he arrived, Avtandil had his first professional fight in Atlantic City. He won the fight with a knockout in 17 seconds, still one of the happiest moments of his career. Even though this had been the largest fight of his career, he was paid only \$500 for the victory. After a few more bouts, Avtandil and the other fighters in the home discovered that their manager was stealing their winnings. The three boxers moved to Philadelphia and signed with a new manager. Over the next two years, Avtandil had six professional bouts, with a middling record of 3 wins, 2 losses and 1 draw. Unable to duplicate his previous meteoric success, Avtandil decided to return to his family in Georgia and dedicate himself to training.

He was happy to see his family after years away, but he never allowed complacency to take hold. Avtandil adhered to a strict training regimen that focused on fitness from pre-dawn until late morning. After a break for lunch and recovery, he was in the gym for hours in the

⁴ The bitter irony of Khurtsidze idolizing the style of a champion boxer who also infamously ended up on the wrong side of the law is not lost on this writer, nor Mr. Khurtsidze.

afternoon with his coach, Murtaz⁵, hitting the bag, sparring and practicing his footwork. During the cold weather months, when snow covered the ground, Avtandil would take periodic breaks to walk outside and rub snow all over his body. This trick to toughen the skin that he learned from his father was a practice that he carried with him all the way to New York.

Although Georgia will always be Avtandil's home, it provided little opportunity for a professional boxer. Across the Black Sea in Ukraine, though, boxing was rapidly gaining recognition as an international sport with international champions. After one year of intense training, Coach Murtaz connected Avtandil with a gym and promoter in Kiev, Ukraine. Avtandil moved to Kiev and stayed with his new coach, former Ukrainian champion, Alexander Lichter.

His new Ukrainian coach quickly set up a sparring match between Avtandil and a former European champion from Chechnya to test the young Georgians *bona fides*. Avtandil passed the test, beating the former champ in four rounds. After his performance, Avtandil had another test, a live professional bout. Avtandil won by first round knockout. His new manager signed him to a contract and assigned him a promoter. Under the new contract, Avtandil earned a monthly salary of \$1,000, with a bonus (approximately \$20-25,000) for each bout. From this point on, every one of Avtandil's fights would be televised.

With the money from his new contract, Avtandil moved into a \$300 per month unfurnished studio. He recalls sleeping on the floor until he could afford to purchase a bed. Financial stability had finally arrived for Avtandil. Over the next five years, Avtandil won all twenty of his fights. He became a celebrity in Ukraine, appearing in advertisements, the most notable for Nemiroff Vodka. With his newfound fame and relative fortune, Avtandil moved out of his old apartment and into what he remembers as a nice \$500 per month studio apartment.

As money came in, Avtandil sent the bulk of it home to his family and community, where he had become a national hero. As the attached letters of support show, Avtandil never forgot his Georgian roots. During his time boxing in Ukraine, Avtandil provided financial support for countless people in his community within Kutaisi. *See Attached Exhibit A.*

During 2009 and 2010, Avtandil replaced his parents shack with a beautiful four-story house at a cost of \$160,000. Had he purchased the home in the conventional sense, it would have cost much more. However, since the country of Georgia, and particularly Avtandil's

⁵ See Letter from Mutaz, Exhibit A, pg. 22

hometown of Kutaisi loved their native son, local plumbers, electricians, contractors, etc. all pitched in to help build the Khurtsidze's new family home. His parents, brother and niece still live there to this day.

It was also during his time in Kiev that Avtandil met Galina Balabanova. The two fell in love and had a committed relationship from 2008 until 2013. The two wanted to marry, but national pride and family pressure interfered. Galina wanted the family to settle in Ukraine while Avtandil wanted them to settle in Georgia (both positions backed vehemently by their respective parents). The two put this dispute aside and decided to try to have a child. It was during this same time that Avtandil was contacted by an American promoter and offered a contract to fight in America. While the Ukrainian boxing circuit dwarfed its backwater counterpart in Georgia, the world stage of American boxing is every fighter's dream. Unlike before, Avtandil now had the skills and experience to compete at the highest international level.

As Avtandil was preparing to go to America, Galina became pregnant. This forced Avtandil and Galina to make a very difficult decision. The two had no question that they wanted to be parents, but they realized that continuing their relationship was not feasible. Galina would have the child, and Avtandil would provide financial support and visit as often as he could. With a child on the way, Avtandil moved halfway around the world, to Los Angeles, California.

Although Los Angeles may seem like an urban paradise to many, the sun and warmth never suited Avtandil. A true Georgian, he needed cold and snow. His manager (somewhat presciently) had Avtandil live in a Mexican-American neighborhood, to keep him away from what he considered to be the distracting influences of the Russian community. With no one who spoke his language, Avtandil felt very isolated. After a bout in New York, Avtandil met a number of Georgians from the consulate who come to watch his fight. Avtandil joined them for dinner at a Georgian restaurant in Manhattan. He felt more at home during this dinner than he had in all the time he lived in L.A. When he returned to California, his manager, who Avtandil still keeps in touch with, saw that he was unhappy. He contacted DiBella Entertainment and they signed Avtandil to a contract immediately.

DiBella agreed to move Avtandil back to Philadelphia. He trained at his old gym and continued winning fights. However, much like kickboxing was not boxing, Philadelphia was not New York. At the end of 2015, DiBella found him a gym on Long Island. Avtandil, who took a

significant pay cut to fight in the United States, moved into an extra room in the gym and resumed his rigid training schedule.

Now that Avtandil was within close proximity to the Georgian community of New York, he began spending his limited “down time” in Brighton Beach, Brooklyn. He enjoyed seeing a vibrant community of his compatriots living within an enormous Russian community. It felt closer to home than Avtandil ever expected in this foreign land.

Avtandil’s arrival caught the attention of someone he had trained with during his teen years in Georgia. Razhden Shulaya was an established figure in the community and relished the opportunity to reconnect with his old gym mate. He reached out to Avtandil and invited him to a welcome dinner at a Georgian restaurant in Brighton Beach. Avtandil saw this as validation of his decision to move to New York. However, he now recognizes that this was the precise moment that he began to fall.

The Court is well-aware of some of Mr. Khurtsidze’s actions while in New York. While he regrets many of the decisions he made during this time-period, he still remained devoted to the sport that has been his life’s work. Avtandil spent most of his time training for his next fight under the tutelage of his trainer, Andre Rozier. The Court undoubtedly witnessed the bond between Avtandil and Andre, a connection that went beyond the financial aspect of the sport. Avtandil loves and respects Mr. Rozier, but he is also pained knowing that he let him down.

Avtandil continued winning fights and rising the world ranks. At the beginning of 2016, he began dating Anastasia Morozova. In 2017, the couple had a son. Although Ana used to bring their son to visit him at the MDC, those visits have stopped. While Avtandil immensely regrets the impact that his actions have had on his family, friends and trainers, nothing approaches the regret he has towards his children. He knows that his sons are growing up without a father, and he also knows that he cannot be there to provide for them.

The tragedy of Avtandil’s recent life is stark. He had trained his entire life to turn his unique raw talents into skills that had him on the verge of the biggest bout of his life. After defeating Tommy Langford by knockout in Leicester, England on April 23, 2017, Avtandil had his sights focused on his next opponent, WBO World Champion Billy Joe Saunders. There was not a day that passed when Avtandil was not consumed with the importance of the upcoming fight. To prepare for his world title bout, Avtandil travelled to Georgia to spend time with his

family and continue his training. His memories of that visit are bittersweet. While he was focused on his title fight, unbeknownst to him, his arrest was looming. As he now sits incarcerated, all he wishes is to be able to return to Georgia and see his elderly parents again.

When seeking a just sentence for Avtandil Khurtsidze, we urge the Court to focus on the entirety of his life. His poor decisions in New York represent only part of his life. Before New York, his life was one of drive, determination and charity. His history gives every indication that when he returns to Georgia, his life will be one of redemption. Avtandil desperately hopes that he has the chance to return to the ring and finish his career with honor. He wishes to use his special abilities to once again give his family and his children a better life. He wants to help young boxers in Georgia learn the sport that has been so good to him. And in the twilight of his life, he wishes to return to a simple life, with a modest home and a hazelnut grove.

a. The Sentencing Guidelines Range

The Presentence Investigation Report indicates Mr. Khurtsidze's stipulated offense level as 25. PSR ¶ 86. With no prior convictions, Mr. Khurtsidze's stipulated Criminal History Category is I (PSR ¶ 89), resulting in a guideline sentence range of 57 to 71 months imprisonment. PSR ¶ 111.

The defendant agrees with the sentencing guidelines calculated by the Probation Department. However, it is our position that Mr. Khurtsidze should receive a below guidelines sentence in accordance with the factors to be considered in imposing a sentence pursuant to 18 U.S.C. § 3553(a).

b. The Offence Conduct

The Court is familiar with the facts of this case. The Court is also familiar with the arguments made both by the government and the defense during trial. Obviously, the jury determined that the government had satisfied its burden of proving each element of counts 1 and 5 against Mr. Khurtsidze. However, the only certainty that can be gleaned from the verdict is that the jury was unanimously convinced of the bare minimum necessary to convict Mr. Khurtsidze. This is not to say that we intend, in any way, to relitigate the facts of this case. Far from it. However, we urge the Court to recognize that while the trial shone a spotlight on instances of Mr. Khurtsidze's poor conduct, when placed within the context of his entire life, his actions were anomalies that misrepresent the true nature of this individual. We respectfully

request a sentence that will return Avtandil to the family and country that saw him become his best self.

c. The Court's Broad Discretion

It is well established that following *United States v. Booker*, 543 U.S. 220 (2005), and its progeny such as *Spears v. United States*, 555 U.S. 261 (2009), *Kimbrough v. United States*, 552 U.S. 85 (2007) and *Gall v. United States*, 552 U.S. 38 (2007), this Court is granted broad discretion to impose a sentence below the recommended guideline range when appropriate under the factors enumerated in § 3553(a). Beyond the individual factors, the so-called “parsimony clause” of § 3553(a) requires this Court to impose a sentence which is “sufficient, but not greater than necessary” to satisfy the factors set forth in § 3553(a). The specific factors within the overarching parsimony clause of 3553(a) support the imposition of a below guidelines sentence.

d. The § 3553(a) Factors

This Court is fully familiar with the factors set forth in § 3553(a). The Court is also entirely familiar with the nature and circumstances of the offense as well as Mr. Khurtsidze's role. The factor that will provide the most guidance to the Court is set forth in § 3553(a)(1): “history and characteristics of the defendant.” Consideration of Mr. Khurtsidze's entire history and the characteristics that he exhibited throughout his entire life show a man who can certainly return his life to the one that existed before his involvement in this case. Avtandil's life story is unfinished and, if given the opportunity, can lead back to the charitable champion who brought such pride to his family, city and country.

1. The Nature and Circumstances of the Offense

Beginning in 2014, the FBI began investigating a criminal enterprise that came to be known as the Shulaya Enterprise. After three years of investigation and subsequent prosecution, Avtandil Khurtsidze was convicted of one count of participating in a racketeering conspiracy and one count of wire fraud conspiracy.

2. The History and Characteristics of the Defendant

Under § 3553(a)(1), the Court must consider the “history and characteristics of the defendant.” Mr. Khurtsidze's history speaks volumes about the potential that saw him become a world champion. His life can easily be divided into three phases. First, his life before New York. He was a child raised working the farms and forests. A child who trained in a sport of

combat. A child who lived through the fall of the Soviet Union and the upheaval of early Georgian independence. As a teen, he knew he wanted to be the best boxer the world had ever seen. He trained diligently to rise through the ranks of his own nation to become a boxing star in Ukraine. His talent and dedication caught the attention of promoters in the United States. He arrived in the United States and fought his way to the height of his sport.

He converted the fame and fortune of his success into a home for his parents. He paid for his nieces and nephews' tuition. Attached, the Court will find letter after letter attesting to what we submit is Mr. Khurtsidze's true nature. *See* Attached Exhibit A. These letters speak of the Avtandil that his family, friends and community know, a man of integrity, compassion and charity. When I spoke with Avtandil about his time living in Ukraine, the part of his history that struck me was how a young man who had never experienced so much as financial stability sent the majority of his newfound wealth to his family back home. He lived modestly in a studio apartment so that his parents could have the home of their dreams.

Avtandil was driven by his love of boxing. That love brought him to America and eventually to New York. This represents the second phase of his life. In New York, his life fell apart. His own decisions erased all the hard work and accomplishments he had achieved. His actions took him away, not only from his sport and career, but more importantly from his family and his children. Through his incarceration, he has continued to train and hope for a return to Georgia to put his life back together and correct the damage he has done to so many.

The third phase of Avtandil's life is his future. The decisions that Avtandil made took away his opportunity to fight for the undisputed world title. At 38, most boxers have surrendered to time and hung up the gloves. But Avtandil is not most boxers. He rose from poverty that most would associate with the 1880's, not the 1980's. He has decades of hard work and integrity to offset the years in New York when he lost the latter principle. Avtandil Khurtsidze does not have to learn how to be a productive member of society, he just needs to remember it. If any aged boxer should not be written off for a return to the ring, it is Avtandil. Beyond his boxing career, he will find himself as the most sought-after boxing coach in a nation that has made significant strides from its early independence. He brought a generation of young people to his sport. He wants nothing more than to coach and train them.

When he returns to Georgia, Avtandil intends to return the honor to his family name that

he established and then selfishly diminished. He will find himself in a community and a nation that has witnessed all the good that he has done and will hold him to the high standards that he himself exhibited before he came to New York. Avtandil Khurtsidze will leave behind the community that saw him fall so far and return to the community that can see him rise again.

3. *Likelihood of Deportation*

The Second Circuit has ruled that, “to serve the needs of justice, 18 U.S.C. § 3553(a), a district court may take into account the uncertainties presented by the prospect of [deportation] proceedings and the impact deportation will have on the defendant and his family.” *United States v. Chin Chong*, 991 F.Supp.2d 453, 456 (E.D.N.Y. 2014), citing *United States v. Thavaraja*, 740 F.3d 253, 262-263 (2d Cir. 2014).

While deportation is usually a negative consequence, Mr. Khurtsidze will be returned to his family and to the country that turned him into a decent human being and world champion boxer. His deportation will not be without hardship as he will be leaving behind his one-year old son. However, he intends to reconnect with his older son and his son’s mother Galinda, and be more than just the financial support, daily phone calls and occasional visits that he was in the past. He wants to be a present father.

We urge the Court to consider imposing a sentence that will send Mr. Khurtsidze back to his country as soon as possible so that he can begin to rehabilitate his life and career.

4. *Other §3553(a) Factors*

“The court shall impose a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2) of this subsection.” 18 U.S.C. § 3553(a). Mr. Khurtsidze will have neither the means nor the desire to recidivate. Mr. Khurtsidze has already lost so much. He will avoid any groups or activities that might return him to his present predicament. A below guidelines sentence will be more than sufficient to ensure that Mr. Khurtsidze never again runs afoul of the law. § 3553(a)(2)(A) and (B).

CONCLUSION

Avtandil Khurtsidze has the potential to repay mercy. Not only by returning to a life of promise, but he also has the unique ability to return to Georgia focused on repaying his debt to his family and his country. His life has been one of ubiquitous obstacles. He was able to rise above them all. There is no possibility for him to return to the community that was integral in

his downfall. He will be returned to a nation that only wishes to foster his redemption. Therefore, we humbly ask this Court to return Mr. Khurtsidze to his home, his family and his native Georgia as soon as possible with a below guidelines sentence.

On behalf of Avtandil Khurtsidze, we thank you for your consideration.

Dated: August 30, 2018
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Respectfully submitted,

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